

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In re: Dana Heines and Dennis Heines

Case No. 16-11868
Chapter 13

Debtor(s).

LOSS MITIGATION REQUEST BY DEBTOR(S) AND CERTIFICATE OF SERVICE

PURSUANT TO SECTION V OF THE COURT'S LOSS MITIGATION PROGRAM PROCEDURES, THE CREDITOR NAMED HEREIN HAS 14 DAYS FROM SERVICE OF THIS REQUEST TO FILE AND SERVE AN OBJECTION TO LOSS MITIGATION REQUEST AND A NOTICE OF HEARING ON OBJECTION TO LOSS MITIGATION REQUEST ON THE DEBTOR(S), DEBTOR(S)' ATTORNEY, AND THE CASE TRUSTEE. IF AN OBJECTION TO LOSS MITIGATION REQUEST AND A NOTICE OF HEARING ON OBJECTION TO LOSS MITIGATION REQUEST ARE NOT FILED, THE COURT MAY ENTER A LOSS MITIGATION ORDER.

I. IDENTIFICATION OF THE PROPERTY AND THE PARTIES:

I am/We are the Debtor(s) in this case and hereby request to enter into the Loss Mitigation Program with respect to my/our Property located at:

Address: 62 Second Street

Athens, NY 12015;

With the following Creditor:

Creditor's Name and Address:

U.S. Bank N.A., as Trustee

c/o Dorf & Nelson LLP

555 Theodore Fremd Ave Rye, NY 1058

With respect to the Property, Creditor is the holder of a:

☒ First Mortgage

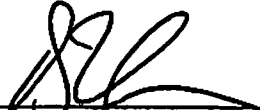
☐ Second Mortgage

☐ Other (please specify): _____

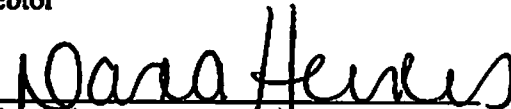
II. SIGNATURE:

I understand that if the court orders Loss Mitigation in this case, I am required to comply with the Loss Mitigation Program Procedures and will participate in good faith. I understand that Loss Mitigation is voluntary for all parties and that I am not required to enter into any agreement or settlement with any other party as part of entry into the Loss Mitigation Program. I also understand that no other party is required to enter into any agreement or settlement with me. I understand that I am not required to request dismissal of my case as part of any resolution or settlement that is offered or agreed to during Loss Mitigation. I also understand that if a Loss Mitigation Order is entered, I am responsible pursuant to section VII(B) of the Loss Mitigation Program Procedures for adjourning any matters pending between the Loss Mitigation Parties for which I am the movant. I certify that the Property in question consists only of real property used as my principal residence in which I hold an interest.

Dated: 4/18/17


Debtor

Dated: 4/18/17


Joint Debtor

III. LOSS MITIGATION CONTACT INFORMATION FOR ATTORNEY FOR DEBTOR(S):

Name: Michael Boyle

Title: Attorney

Firm: Tully Rinckey PLLC

Address: 441 New Kame Rd.

Address 2: _____

City: Albany State: NY Zip Code: 12205

Phone No.: 518-218-7100 Facsimile No.: 518-218-0496

Email Address: mboyle@tullylegal.com

IV. CERTIFICATE OF SERVICE:

I, NEELOFAR NANAB, state under penalty of perjury that the following is true and accurate.

(1) That I am not a party to this action, am over 18 years of age, and reside in Albany, New York.

(2) That on JUNE 2, 2017, I served a true and accurate copy of the above Loss Mitigation Request by Debtor(s)—

—by notice of electronic filing (NEF) via the CM/ECF system upon the following parties at the email addresses listed below:

✓
—by first class mail upon the following parties at the addresses listed below:

U.S. BANK N.A., AS TRUSTEE
C/O DORF & NELSON LLP
555 THEODORE FREMONT AVE RYE
NY 10580

✓
—by certified mail upon the following parties at the addresses listed below:

OCWEN LOAN SERVICING, LLC
ATTN: BANKRUPTCY DEPARTMENT
P.O. BOX 24605
WEST PALM BEACH, FL 33416

Dated: JUNE 2, 2017
ALBANY, New York

NEELOFAR NANAB
Name

Sworn to before me this

2 day of June, 2017

[Signature]
Notary Public, State of New York

